



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,238	01/29/2004	Kang Soo Seo	46500-000582/US	2909
30593 7590 06/19/2009 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			EXAMINER DUNN, MISHAWN N	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 06/19/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/766,238	<b>Applicant(s)</b> SEO ET AL.	
	<b>Examiner</b> MISHAWN DUNN	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,5,7,13,14, and 17-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5,7, 13,14, and 17-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/22/09 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 5, 7, 13, 14, and 17-29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 5-7, 13, 14, 17, 18, and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. (U.S. Pub. No. 2005/0019007) in view of Hoogenboom et al. (US Pat. No. 5,517,250).

5. Consider claim 1. Kato et al. discloses a recording medium storing a data structure for managing reproduction of data streams (para. 0029) having a plurality

Art Unit: 2621

reproduction paths (fig. 2), comprising: a data area storing a plurality of transport packets of the data streams (paras. 0205, 0240, and 0242); and a navigation area storing a playlist for managing playback of the data streams (para. 0257), each of the playing intervals including an IN-point and OUT-point indicating positions of the data streams (paras. 0197 and 0200; fig. 3), the playlist including a playitem indicating a playing interval of the data stream (para. 0188; fig. 2), and the playitem including a packet identifier information field indicating the packet identifier (PID) of the transport packets associated with the playitem such that the packet identifier information field identifies a reproduction path among the plurality of reproduction paths for the playing interval of each of each of the playitems (paras. 0240 and 0242), where the identified reproduction path of each of the play items is determined from among a plurality of the data streams (fig. 7).

Kato et al. does not teach that the transport packets having respective packet identifiers (PID).

However, Hoogenboom et al. teaches teach that the transport packets having respective packet identifiers (PID) (abstract; col. 2, lines 47-59).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to provide transport packets having respective packet identifiers, in order to reduce the overhead.

6. Consider claim 5. Kato et al. teaches a recording medium wherein the data streams are elementary data streams (paras. 0239-0242).

7. Consider claim 7, Kato et al. teaches a recording medium wherein the data area stores the data streams multiplexed together (paras. 0176 and 0177).

8. Consider claim 13. Kato et al. teaches a recording medium wherein the plurality of data streams includes video data streams (para. 0240).

9. Consider claim 14. Kato et al. teaches a recording medium wherein the data streams further includes at least one of audio data streams, graphics data streams and subtitle data streams (para. 0240).

10. Consider claim 21. Kato et al. teaches the recording medium of claim 1, wherein the data streams are multi-angle data streams (paras. 0624-0633).

11. Consider claim 23. Kato et al. teaches the method of claim 17, further comprising: multiplexing the data streams together (paras. 0248-0249).

12. Consider claim 25. Kato et al. teaches the method of claim 18, further comprising: de-multiplexing the data streams stored multiplexed together (paras. 0586-0587)

13. Claims 17, 18, 22, and 24 are rejected using similar reasoning as the corresponding claims above.

14. Claims 19, 20, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. (U.S. Pub. No. 2005/0019007) in view of Hoogenboom et al. (US Pat. No. 5,517,250) in further view of Monahan (U.S. Pub. No. 2004/0141436).

15. Consider claim 19. Kato et al. and Hoogenboom et al. teach all claimed limitations as stated above, except a pickup configured to record data streams on a

Art Unit: 2621

recording medium and a controller, operably coupled to the pickup, configured to control the pickup to record on the recording medium.

However, Monahan teaches a pickup configured to record data streams on a recording medium and a controller, operably coupled to the pickup, configured to control the pickup to record on the recording medium (fig. 1).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to provide a pickup and a controller in order to efficiently record data on the recording medium.

16. Consider claim 26. Kato et al. teaches wherein the data streams are multi-angle data streams (paras. 0624-0633).

17. Consider claim 27. Kato et al. teaches the method of multiplexing the data streams together (paras. 0248-0249)

18. Claims 20, 28, and 29 is rejected using similar reasoning as the corresponding claim above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISHAWN DUNN whose telephone number is (571)272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MISHAWN DUNN/  
Examiner, Art Unit 2621  
June 16, 2009

/JAMIE JO ATALA/  
Examiner, Art Unit 2621